

# OFFICE OF THE ATTORNEY GENERAL

85-00431



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JUL 9 1985

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Honorable Thomas B. Norton, M.D.  
Mayor  
City of Gulf Shores  
P. O. Box 299  
Gulf Shores, Alabama 36542

Municipalities - Emergency  
Medical Services - Funds

City may provide emergency  
medical services to citizens  
within the county at no charge.

Dear Mayor Norton:

Reference is made to the request by the City of Gulf Shores regarding the following matter:

"The City of Gulf Shores, for several years, has operated an Emergency Medical Service. The Paramedics are employees of the City and their salaries are paid from our General Fund. The cost of all equipment and supplies is paid from the City's General Fund. We make calls anywhere in our area, including areas outside of our corporate limits and our police jurisdiction, and we never charge for our services.

My first question is this: Is all of the foregoing a legitimate expenditure of Gulf Shores taxpayers' money? and my second question is: Would there be any difference if charges were made to patients

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outside Gulf Shores and its police jurisdiction sufficient to defray the cost to the City of Gulf Shores on those particular Services?"

Code of Alabama 1975, Section 11-87-1 through Section 11-87-5 authorizes the governing bodies of counties and municipalities to provide ambulance service to the citizens of the county or municipality and to appropriate funds for this purpose. Section 11-87-1 states:

The governing body of any county or the governing body of any municipality within such county is hereby authorized to create and establish, maintain and operate ambulance service within the county, or within the municipality, to promote the health, welfare and safety of the residents of the county and municipality and of citizens and others traveling within such county and may make all needful rules and regulations for the control and management of such service.

The governing body of the county and the governing body of any municipality within the county may unite in the establishment of such ambulance service, if deemed expedient, making such service common for the use of the county and of the municipality, and may make rules and regulations for the control and management thereof, and shall jointly have the same powers and authority herein conferred upon each.

The governing body of any municipality may also unite with the governing body of any other municipality within such county, or together with the governing body of the county, in the establishment of such ambulance service, if deemed expedient, making such service common for the use of the several governments, and may make rules and regulations for the control and management thereof, and shall jointly have the same powers and authority herein conferred upon each.

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This statute clearly authorizes a municipality to provide emergency medical services to citizens within the municipality. Furthermore, it is the opinion of the Attorney General that when the statute is read as a whole, a municipality is also empowered to provide such services to citizens within the county where the municipality is located. Thus, the expenditure of city funds for this purpose is valid.

It is not necessary to charge fees for providing the emergency medical services, although the city may do so under Section 11-87-4.

I hope that your questions have been adequately answered.

If our office can be of further assistance, please do not hesitate to contact us.

Sincerely,

CHARLES A. GRADDICK  
Attorney General  
By:

A handwritten signature in cursive script, appearing to read "Lynda K. Oswald".

LYNDA K. OSWALD  
Assistant Attorney General

LKO/dn